

**CONTROLLED SUBSTANCES BOARD  
MEETING MINUTES  
May 12, 2017**

**PRESENT:** Subhadeep Barman (*left at 12:05 p.m.*), Yvonne Bellay, Alan Bloom, Doug Englebert, Peter Kallio, Jason Smith, Philip Trapskin (*arrived at 9:36 a.m.*), Timothy Westlake

**EXCUSED:** Wendy Pietz

**STAFF:** Chad Zadrazil – Managing Director; Andrea Magermans – Deputy Managing Director, Laura Smith - Bureau Assistant; Sharon Henes - Administrative Rules Coordinator; and other DSPS Staff

**CALL TO ORDER**

Doug Englebert called the meeting to order at 9:30 a.m. A quorum of seven (7) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Timothy Westlake moved, seconded by Peter Kallio, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF MARCH 10, MARCH 14, AND APRIL 3, 2017**

**MOTION:** Timothy Westlake moved, seconded by Peter Kallio, to approve the minutes of March 10, March 14, and April 3, 2017 as published. Motion carried unanimously.

(*Philip Trapskin arrived at 9:36 a.m.*)

**PUBLIC HEARING ON CLEARINGHOUSE RULE 17-028 RELATING TO THE  
OPERATION OF THE PRESCRIPTION DRUG MONITORING PROGRAM**

**MOTION:** Philip Trapskin moved, seconded by Alan Bloom, to reject Clearinghouse comment number(s) for 2.b and 2.e, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 17-028 relating to the operation of the Prescription Drug Monitoring Program. Motion carried unanimously.

**MOTION:** Peter Kallio moved, seconded by Subhadeep Barman, to approve clarifying language to allow practitioners to delegate review following standards of practice to meet requirements for practitioner review. Motion carried unanimously.

**MOTION:** Timothy Westlake moved, seconded by Jason Smith, to approve clarifying language regarding referrals to law enforcement, limiting such reports to situations in which dangerous practice or criminal activity may have occurred. Motion carried unanimously.

- MOTION:** Timothy Westlake moved, seconded by Yvonne Bellay, not to define practitioner review beyond what is defined in CSB 4.02(12m). Motion carried unanimously.
- MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to affirm the current wording of CSB 4.105(2). Motion carried unanimously.
- MOTION:** Timothy Westlake moved, seconded by Peter Kallio, to request that the Department revisit the existing Statement of Work regarding EHR integration to better facilitate health system and prescriber adoption of the ePDMP integration. Motion carried unanimously.
- MOTION:** Philip Trapskin moved, seconded by Peter Kallio, to authorize Dr. Westlake, as the Legislative Liaison, to collaborate with the Legislature to create clarifying language on 961.385(2)(cs)2.e. Motion carried unanimously.
- MOTION:** Alan Bloom moved, seconded by Yvonne Bellay, to affirm current language on CSB 4.05(1)(a). Motion carried unanimously.
- MOTION:** Timothy Westlake moved, seconded by Yvonne Bellay, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 17-028 relating to the operation of the Prescription Drug Monitoring Program for submission to the Governor's Office and Legislature. Motion carried unanimously.

## **LEGISLATION AND RULE MATTERS**

### **Adopt CR 16-060 relating to the exclusion of [<sup>123</sup>I]ioflupane from scheduling**

- MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to adopt 16.060 relating to the exclusion of [<sup>123</sup>I]ioflupane from scheduling. Motion carried unanimously.

### **Adopt CR 16-081 relating to the scheduling of beta-hydroxythiofentanyl and butyryl fentanyl.**

- MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to adopt CR 16-081 relating to the scheduling of beta-hydroxythiofentanyl and butyryl fentanyl. Motion carried unanimously.

### **Review Clearinghouse Comments for CR 17-020 relating to scheduling U-47700.**

- MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to reject all Clearinghouse comments for CR 17-020 relating to scheduling U-47700. Motion carried unanimously.
- MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to approve the Legislative Report and Draft for Clearinghouse Rule 17-020 for submission to the Governor's Office and Legislature. Motion carried unanimously.

### **Review Clearinghouse Comments for CR 17-021 relating to scheduling acetyl fentanyl.**

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to accept all Clearinghouse comments for CR 17-021 relating to scheduling acetyl fentanyl. Motion carried unanimously.

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to approve the Legislative Report and Draft for Clearinghouse Rule 17-021 for submission to the Governor's Office and Legislature. Motion carried unanimously.

**Review Clearinghouse Comments for CR 17-022 relating to scheduling eluxadoline.**

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to accept all Clearinghouse comments for CR 17-022 relating to scheduling eluxadoline. Motion carried unanimously.

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to approve the Legislative Report and Draft for Clearinghouse Rule 17-022 for submission to the Governor's Office and Legislature. Motion carried unanimously.

**Review Clearinghouse Comments for CR 17-023 relating to scheduling AH-7921.**

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to accept all Clearinghouse comments for CR 17-023 relating to scheduling AH-7921. Motion carried unanimously.

**MOTION:** Philip Trapskin moved, seconded by Timothy Westlake, to approve the Legislative Report and Draft for Clearinghouse Rule 17-023 for submission to the Governor's Office and Legislature. Motion carried unanimously.

**Scope for CSB 2.50 relating to AB-CHMINACA, AB-PINACA and THJ-2201**

**MOTION:** Peter Kallio moved, seconded by Yvonne Bellay, to approve the Scope Statement on CSB 2.49 relating to Scheduling AB-CHMINACA, AB-PINACA and THJ-2201 for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**Scope for CSB 2.51 relating to MAB-CHMINACA**

**MOTION:** Peter Kallio moved, seconded by Yvonne Bellay, to approve the Scope Statement on CSB 2.51 relating to Scheduling MAB-CHMINACA for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**Scope for CSB 2.52 relating to 4-MePPP and a-PBP**

**MOTION:** Peter Kallio moved, seconded by Yvonne Bellay, to approve the Scope Statement on CSB 2.52 relating to Scheduling 4-MePPP and c-PBP for

submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**Affirmative Action Order relating to scheduling 5F-ADB; 5F-AMB; ADB-FUBINACA; MDB-CHMICA; MDMB-FUBINACA.**

**MOTION:** Timothy Westlake moved, seconded by Peter Kallio, to affirm the scheduling of 5F-ADB, 5F-AMB, ADB-FUBINACA, MDB-CHMICA, and MDMB-FUBINACA to Schedule I. Motion carried unanimously.

**Affirmative Action Order relating to scheduling Oral Solutions Containing Dronabinol.**

**MOTION:** Timothy Westlake moved, seconded by Peter Kallio, to affirm the scheduling of oral solutions containing Dronabinol to Schedule II. Motion carried unanimously.

**Affirmative Action Order relating to scheduling 4-Fluroroisobutyryl fentanyl.**

**MOTION:** Alan Bloom moved, seconded by Yvonne Bellay, to authorize the Chair to affirm the scheduling of 4-Fluroroisobutyryl fentanyl to Schedule I once the 30 days since the federal order has elapsed. Motion carried unanimously.

**QUARTERLY REPORT STATUS UPDATE**

**MOTION:** Peter Kallio moved, seconded by Alan Bloom, to acknowledge the department staff report on the delay in producing the Quarterly Report. Motion carried unanimously.

**12:00 P.M. ANNUAL HEARING WITH LAW ENFORCEMENT AGENCIES AND PROSECUTORS**

*Presentations were made by PDMP staff, the DEA, and the Wisconsin Crime Lab.*

**ADJOURNMENT**

**MOTION:** Alan Bloom moved, seconded by Timothy Westlake, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:55 p.m.